

REMARKS

This is in full and timely response to the second, nonfinal Office Action dated August 7, 2003. Reconsideration and reexamination are respectfully requested in view of the foregoing amendment and the following remarks.

By the foregoing amendment, claims 1, 5, 6, 7, 10 and 11 have been amended. Claims 13 to 18 have been allowed, and claims 6 and 12 were indicated by the Examiner as being allowable if rewritten into independent form. Claims 1 to 18 remain pending in this application.

Rejection of Claims 1 to 4 and 10 Based On Yamada et al.

Claims 1 to 4 and 10 stand rejected under 35 U.S.C. 102(b) as allegedly being anticipated by Yamada et al. (U.S. Patent No. 4,662,717). The Examiner contends that Fig. 8 of Yamada et al. discloses all of the limitations of the Applicants' invention recited in these claims. To the extent that this rejection might still be applied to the claims as amended, it is respectfully traversed for the following reasons.

Yamada et al. discloses a lens and a lens holding device for securing a lens to a lens barrel. The Fig. 8 embodiment of Yamada et al. includes first and second lenses 20a and 10, respectively, which are secured together by fitting protrusions 23 into depressions 13. However, Yamada et al. does not disclose a second lens having a first convex portion on one surface and a second convex portion on another surface opposing the one surface. Instead, the second lens 10 in Fig. 8 of Yamada et al. has a first convex portion 10a and a second concave portion 10b on the

surface opposing the first convex portion 10a. To emphasize this distinction, independent claims 1 and 10 have been amended by reciting the following additional limitation:

said second optical lens has a first convex portion on one surface, and a second convex portion on another surface opposing said one surface.

Support for this additional limitation is found, for example, in original claims 6 and 12, and on page 18 of the specification. As noted by the Examiner in his statement of reasons for the indication of allowable subject matter on page 5 of the Office Action, Yamada et al. does not disclose the claimed feature of the second optical lens having the claimed two convex surfaces.

Claims 2 to 4 depend from claim 1 and are believed to be allowable for at least the same reasons explained above regarding claim 1.

Accordingly, reconsideration and withdrawal of the rejection of claims 1 to 4 and 10 under 35 U.S.C. 102(b) based on Yamada et al. are respectfully requested.

Rejection of Claims 5, 7 to 9 and 11 Based On Yamada et al.

Claims 5, 7 to 9 and 11 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Yamada et al. The Examiner contends that Fig. 8 of Yamada et al. discloses all of the features of the Applicants' invention recited in claims 5, 7 to 9 and 11, except the surfaces being bonded together "with an adhesive." The Examiner relies on Judicial Notice of the equivalence of joint fittings and adhesive to satisfy this limitation of the Applicants' claimed

invention. To the extent that this rejection might still be applied to these claims as amended, it is respectfully traversed for the following reasons.

Yamada et al. does not disclose the claimed intermediate member bonded between the first and second optical lenses. The Examiner construed the claimed intermediate member as the adhesive that would be used between the first and second optical lenses in the Examiner's proposed modification of Yamada et al. (i.e., when an adhesive is substituted for the disclosed joint fittings of Yamada et al.). However, it is respectfully submitted that this is not a reasonable interpretation of Yamada et al. because an adhesive used to bond two members together cannot be construed as an intermediate member between the members. In any event, claims 5 and 11 have been amended to further distinguish over the Examiner's interpretation of Yamada et al. Specifically, claims 5 and 11 have been amended as follows:

wherein the outer circumference portion of said first optical lens and the outer circumference portion of said second optical lens are bonded together with an adhesive to opposite ends of a ring-shaped via-an intermediate member.

Support for this amended claim language is found, for example, on pages 18 to 19 of the specification where the intermediate member 7 is described as being bonded to the first and second lenses 30 and 6 by adhesive layers 16 and 17, respectively.

With regard to claims 7 to 9, claim 7 has been amended in a manner similar to claims 1 and 10 to include the following additional limitation:

said second optical lens has a first convex portion on one surface, and a second convex portion on another surface opposing said one surface.

Claims 7 to 9 are therefore believed to be allowable over Yamada et al. for at least the same reasons explained above regarding independent claims 1 and 10.

Accordingly, reconsideration and withdrawal of the rejection of claims 5, 7 to 9 and 11 under 35 U.S.C. 103(a) based on Yamada et al. are respectfully requested.

Allowable Subject Matter

On pages 4 to 5 of the Office Action, the Examiner stated that claims 13 to 18 are allowed, and claims 6 and 12 would be allowable if rewritten in independent form. Claim 12 was previously rewritten in independent form, and claim 6 has been rewritten in independent form by this Amendment to thereby place claims 6 and 12 to 18 in clear condition for allowance.

Applicants respectfully submit that all of the pending claims 1 to 18 are now in condition for allowance, and request that a timely Notice of Allowance be issued for this application.

If the Examiner has any comments or suggestions that could place this application into even better form, the Examiner is encouraged to contact the Applicants' undersigned representative at the telephone number listed below.

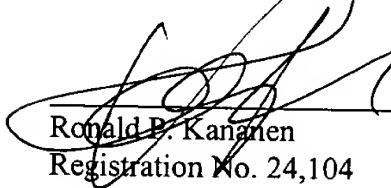
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PATENT APPLICATION

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